

MEMORANDUM

April 19, 1973

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: Robert T. Kenney, Director

SUBJECT: BOARD OF APPEAL REFERRALS

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Hearing Date: 4/24/73

Petition No. Z-2725  
Erno Pongratz  
10-12 Oak Street, Hyde Park

Petitioner seeks a variance for a change of occupancy from four apartments to four apartments and two offices in a general business (B-1) district. The proposal violates the Code as follows:

Section 7-4. In variance with former decision of Board of Appeal.

The property located on Oak Street near the intersection of Hyde Park Avenue contains a three-story frame structure. About a year ago, the petitioner appealed for a conversion from two to six apartments. The Authority recommended denial; however, the Board of Appeal approved an occupancy for four apartments. Petitioner now proposes to construct two offices on the first floor. This small structure on 1,319 square feet of land cannot support additional occupancy. Open space and off street parking are already significantly deficient. Recommend denial.

VOTED: That in connection with Petition No. Z-2725, brought by Erno Pongratz, 10-12 Oak Street, Hyde Park, for a variance for a change of occupancy from four apartments to four apartments and two offices in a general business (B-1) district, the Boston Redevelopment Authority recommends denial. This small structure would be severely overcrowded by the proposed office occupancy. Open space and off street parking are already significantly deficient.





Z-2725  
10-12 OAK ST.  
(H.P.)



Board of Appeal Referrals 4/19/73

Hearing Date: 4/24/73

Petition No. Z-2731

Erik R. Anderson

21 Harvard Street, Charlestown

Petitioner seeks a forbidden use and three variances for a change of occupancy from a rooming house to four apartments in an Apartment (H-1) district. The proposal violates the Code as follows:

	<u>Req'd</u>	<u>Prop</u>
Section 8-7. Any dwelling converted for more families which does not meet the requirements of lot area, open space and off street parking is forbidden in an H-1 district.		
Section 14-1. Lot area for additional dwelling unit is insufficient	1000sf/du	0
Section 17-1. Open space is insufficient.	400sf/du	80 sf/du
Section 23-1. Off street parking is insufficient	3 spaces	0

The property, located on Harvard Street near the intersection of Rutherford Avenue in the Charlestown Urban Renewal Area, contains a 3½ story masonry structure. Proposed conversion of the 11-room lodging facility to a more stable occupancy is consistent with the objectives of the urban renewal plan and residential character of the neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-2731, brought by Erik R. Anderson, 21 Harvard Street, in the Charlestown Urban Renewal Area, for a forbidden use and three variances for a change of occupancy from a rooming house to four apartments in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. Proposed conversion of the 11-room lodging facility to a more stable occupancy is consistent with the objectives of the urban renewal plan and the residential character of the neighborhood.





Z-2731  
21 HARVARD ST.  
(CHARLESTOWN)



Board of Appeal Referrals 4/19/73

Hearing Date: 4/24/73

Petition No. Z-2732  
Mobil Oil Corporation  
415-425 Dudley Street &  
2-10 Blue Hill Avenue, Roxbury

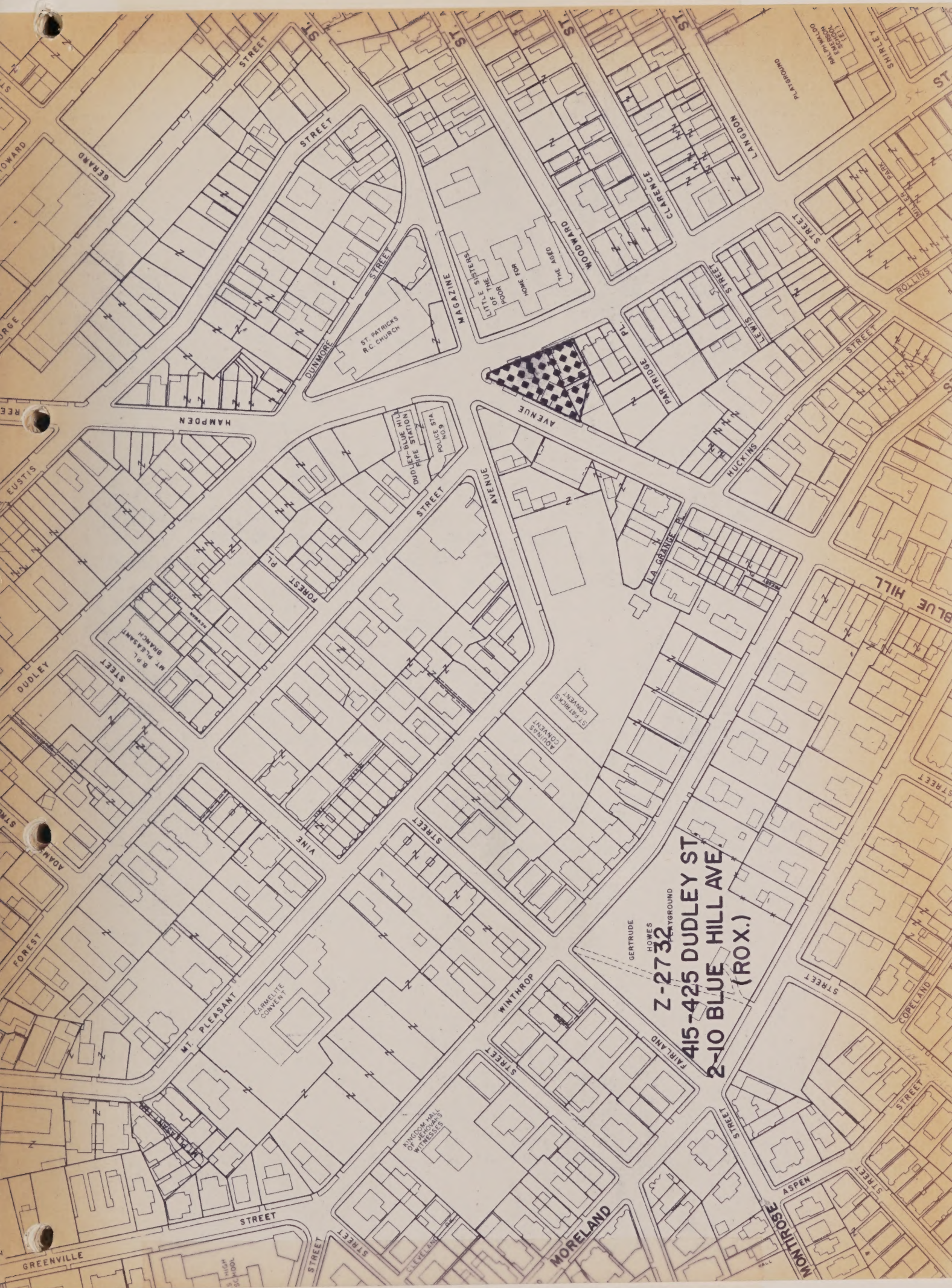
Petitioner seeks a conditional use and three variances to combine lots and erect a one-story gas service station in a local business (L-1) district. The proposal violates the Code as follows:

	<u>Req'd</u>	<u>Prop</u>
Section 8-7. A gas service station is conditional in an L-1 district.		
Section 18-1. Front yard is insufficient	10 ft.	0
Section 18-3. Corner traffic visibility is insufficient.		
Section 20-1. Rear yard is insufficient	20 ft.	0

The property, located at the intersection of Dudley Street and Blue Hill Avenue opposite St. Patrick's Church in the Model Cities Area, contains a vacant and boarded three-story frame duplex dwelling on 12,858 square feet of land. Model Cities has proposed a new "middle school" for this site and has included it in their capital outlay program. Because of current school negotiations, no time schedule has been projected. Recommend denial.

VOTED: That in connection with Petition No. Z-2732, brought by Mobil Oil Corporation, 415-425 Dudley Street and 2-10 Blue Hill Avenue, in the Model Cities area, for a conditional use and three variances to erect a one story gas service station in a local business (L-1) district, the Boston Redevelopment Authority recommends denial. Model Cities has proposed a new "middle school" for this site and has included it in their capital outlay program. Because of current school negotiations, no time schedule has been projected.







Board of Appeal Referrals 4/19/73

Hearing Date: 5/1/73

Petition No. Z-2735  
Hadaya Realty Trust  
Louis S. Hadaya  
92 Rockland Street, West Roxbury

Petitioner seeks a forbidden use and a change in a non conforming use for a change of occupancy from a two family dwelling to a three family dwelling in a single family (S-.5) district. The proposal violates the Code as follows:

Section 8-7. Any dwelling converted for more families is forbidden in an S-.5 district.

Section 9-2. A change in a non conforming use requires a Board of Appeal hearing.

The property located on Rockland Street at the Dedham line contains a 2½ story frame structure on 23,880 square feet of land. Proposed multiple occupancy would have an injurious impact on and would be contrary to the predominant one family character of the neighborhood. Residents have indicated strong opposition to intensification of this non conforming use. Recommend denial.

VOTED: That in connection with Petition No. Z-2735, brought by Hadaya Realty Trust, 92 Rockland Street, West Roxbury, for a forbidden use and a change in a non conforming use for a change of occupancy from a two family dwelling to a three family dwelling in a single family (S-.5) district, the Boston Redevelopment Authority recommends denial. Proposed multiple occupancy would have an injurious impact on and would be contrary to the predominant one family character of the neighborhood. Residents have indicated strong opposition to intensification of this non conforming use.



PLAYGROUND



Board of Appeal Referrals 4/19/73

Hearing Date: 5/1/73

Petitions Nos. Z-2736-2737  
Carney Realty Trust  
Mary E. Cooper, Trustee  
7-9 & 11-11½ Woodlawn Street,  
Jamaica Plain

Petitioner seeks two conditional uses and three variances to legalize the occupancy for a lodging house in each of two buildings in a residential (R-.8) district. The proposal violates the code as follows:

<u>7-9 Woodlawn Street</u>	<u>Req'd</u>	<u>Proposed</u>
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Section 8-7. A lodging house is conditional in an R-.8 district.

<u>11-11½ Woodlawn Street</u>		
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Section 8-7.	A lodging house is conditional in an R-.8 district.		
Section 14-1.	Lot area is insufficient.	5000 sf	2480 sf
Section 14-2.	Lot area for additional unit is insufficient.	1500 sf/du	0
Section 17-1.	Open space is insufficient.	800 sf/du	467 sf/du

The property, located on Woodlawn Street near the intersection of Hyde Park Avenue at Forest Hills, contains two, three story duplex frame structures. The use, though existing, is inappropriate in this family oriented neighborhood. Woodlawn Street is sloped, is a dead end, and is severely congested with curb parking. The facilities do not comply with conditions required for approval of a conditional use.  
Recommend denial.

VOTED: That in connection with Petitions Nos. Z-2736-2737, brought by Carney Realty Trust, 7-9 and 11-11½ Woodlawn Street, Jamaica Plain, for two conditional uses and three variances to legalize the occupancy for a lodging house in each of two buildings in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial. The use, though existing, is inappropriate in this family oriented neighborhood. Woodlawn Street is sloped, is a dead end, and is severely congested with curb parking. The facilities do not comply with conditions required for approval of a conditional use.





Z-2736-37  
7-9 + 11-11 1/2 WOODLAWN ST  
(J.P.)



Board of Appeal Referrals 4/19/73

Hearing Date: 5/8/73

Petitions Nos. Z-2739-2740  
Trustees of Boston University  
100 East Newton Street, Boston

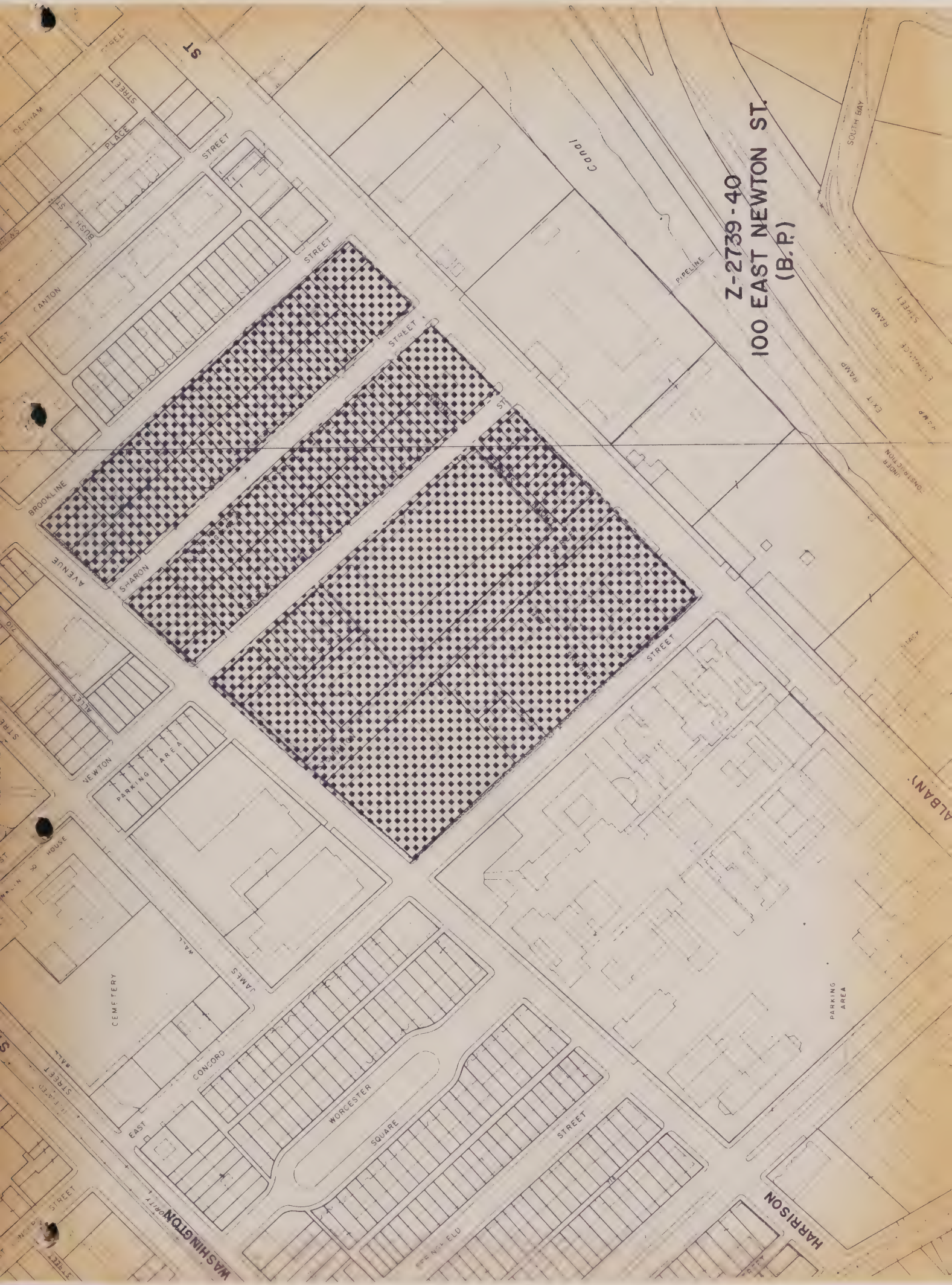
Petitioner seeks two conditional uses and two variances to erect two additions to a dental office and school building in an apartment (H-3) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-6. A change in a conditional use requires a Board of Appeal hearing.		
Section 15-1. Floor area ratio is excessive.	3.0	3.4

The property, located on East Newton Street at the intersection of Albany Street, contains the school of dentistry within the University medical center. Proposal consists of a one-story and basement rear addition for student-faculty dining facilities and a four story addition over the existing three stories which would be utilized for school and office expansion. The violation is minimal. There are approximately 1,000 off-street parking facilities in the complex. Proposed expansion is not contrary to the urban renewal plan.  
Recommend approval.

VOTED: That in connection with Petitions Nos. Z-2739-2740, brought by Trustees of Boston University, 100 East Newton Street, South End Urban Renewal Area, for two conditional uses and two variances to erect two additions to a dental office and school building in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval. The violation is minimal. Ample off-street parking is provided within the complex. Proposed expansion is not contrary to the urban renewal plan.





Z-2739-40  
100 EAST NEWTON ST.  
(B.P.)



Board of Appeal Referrals 4/19/73

Hearing Date: 4/24/73

Petition No. Z-2742  
Andrew Tsoutsanis  
27 Elgin Street  
West Roxbury

Petitioner seeks two forbidden uses and eight variances for a change of occupancy from a two family dwelling to a three family dwelling in a single family (S-.5) district. The proposal violates the code as follows:

		<u>Req'd</u>	<u>Proposed</u>
Section 8-7.	A three family dwelling is forbidden in an S-.5 district.		
Section 8-7.	A dwelling converted for more families is forbidden in an S-.5 district.		
Section 14-1.	Lot area is insufficient.	6000 sf	4000 sf
Section 14-2.	Lot area for additional dwelling unit is insufficient.	4000 sf/du	0
Section 14-3.	Lot width is insufficient.	60 ft.	40 ft.
Section 14-4.	Street frontage is insufficient.	60 ft.	40 ft.
Section 18-1.	Front yard is insufficient. (Elgin St.)	30 ft.	17 ft.
Section 18-4.	Front yard is insufficient. (Alberta St.)	30 ft.	5 ft.
Section 19-1.	Side yard is insufficient.	12 ft.	10 ft.
Section 20-1.	Rear yard is insufficient.	50 ft.	41 ft.

The property, located on Elgin Street at the intersection of Alberta Street, contains a 2½ story frame structure. The neighborhood consists of one and two family residences. Proposed conversion would create an undesirable precedent and overcrowd a structure never intended to accommodate multiple occupancy. Recommend denial.

VOTED: That in connection with Petition No. Z-2742, brought by Andrew Tsoutsanis, 27 Elgin Street, West Roxbury, for two forbidden uses and eight variances for a change of occupancy from a two family dwelling to a three family dwelling in a single family (S-.5) district, the Boston Redevelopment Authority recommends denial. Proposed conversion would create an undesirable precedent and overcrowd a structure never intended to accommodate multiple occupancy.





BILLINGS  
Z-2742  
27 ELGIN ST.  
(W.R.)



Board of Appeal Referrals 4/19/73

Hearing Date:

Petition No. Z-2743  
Arthur Pettiglio  
36-38 Mapleton Street  
Brighton

Petitioner seeks a variance to fill rear yard above grade level in a residential (R-.5) district. The proposal violates the code as follows:

Section 22-1. Rear yard exceeds grade level.

The property, located on Mapleton Street near the intersection of Murdock Street, contains a 2½ story frame structure. The excessive slope of the rear yard results in drainage of water on abuttor's properties. Petitioner would erect a retaining wall, fill in the rear yard and install two dry well retention systems. Proposal will remedy existing drainage conditions and provide a family recreational area. Recommend approval.

VOTED: That in connection with Petition No. Z-2743, brought by Arthur Pettiglio, 36-38 Mapleton Street, Brighton, for a variance to fill rear yard above grade level in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Proposal will remedy existing drainage conditions and provide a family recreational area.



Z-2743  
6-38 MAPLETON ST.  
(BRI.)





Board of Appeal Referrals 4/19/73

Hearing Date: 5/8/73

Petition No. Z-2744  
Bernard S. Swift  
109 Rockdale Street  
Mattapan

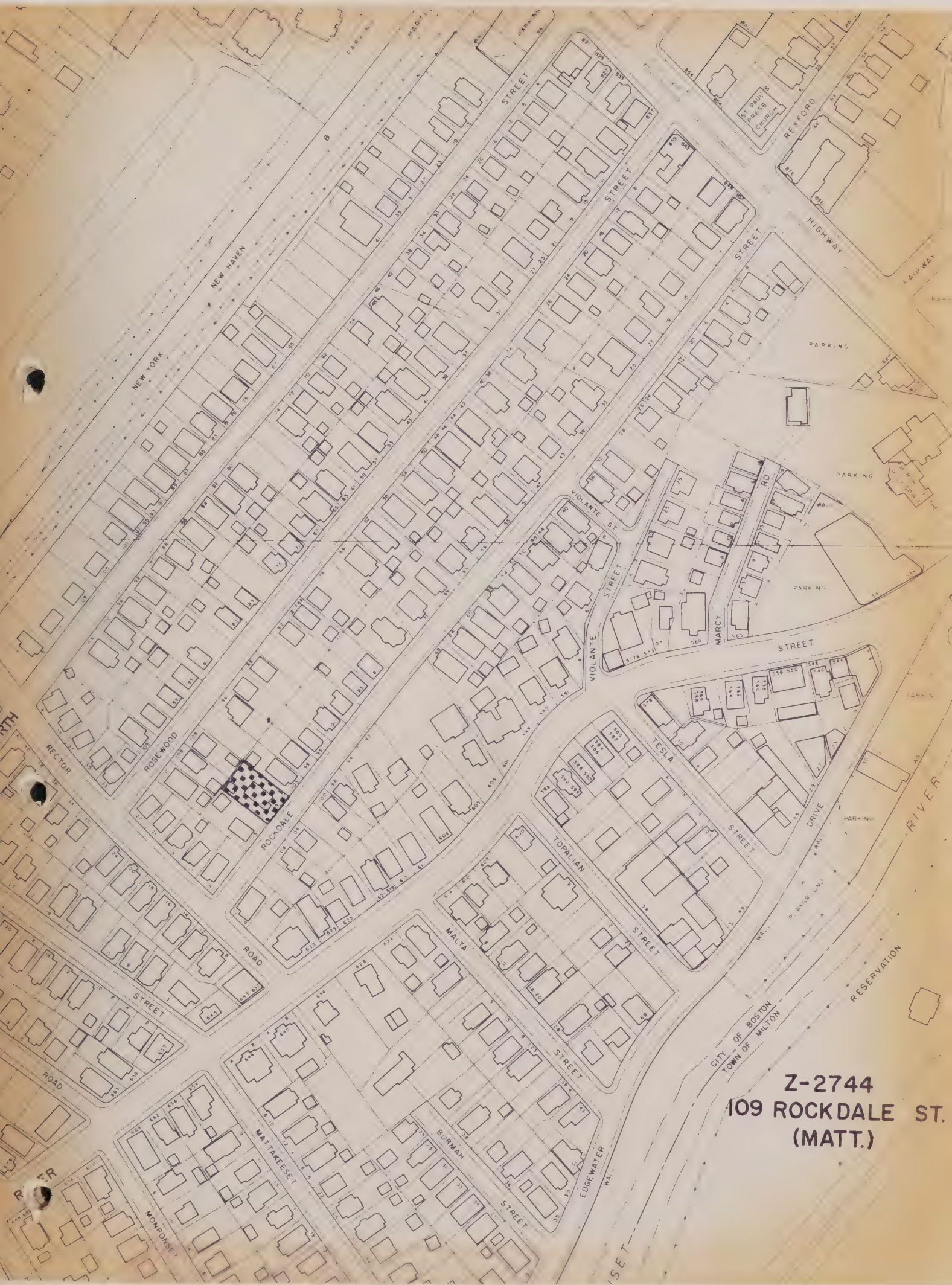
Petitioner seeks a forbidden use and two variances to legalize the occupancy for a three family dwelling in a residential (R-.5) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A three family dwelling is forbidden in an R-.5 district.		
Section 14-3. Lot width is insufficient.	200 ft.	60 ft.
Section 14-4. Street frontage is insufficient.	200 ft.	60 ft.

The property, located on Rockdale Street near the intersection of Rector Road, contains a 2½ story frame structure. Petitioner has installed a basement apartment for the use of an ill member of his family who requires supervision. Adjacent properties would not be significantly affected by the proposal. Width and frontage violations are existing. Recommend approval.

VOTED: That in connection with Petition No. Z-2744, brought by Bernard S. Swift, 109 Rockdale Street, Mattapan, for a forbidden use and two variances to legalize the occupancy for a three family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. There is evidence of practical difficulty and substantial hardship. Adjacent properties would not be significantly affected by the proposal. Width and frontage violations are existing.





Z-2744  
109 ROCKDALE ST.  
(MATT.)



Board of Appeal Referrals 4/19/73

Hearing Date: 5/8/73

Petition No. Z-2745  
New England Conservatory of Music  
290-294 Huntington Avenue  
Boston

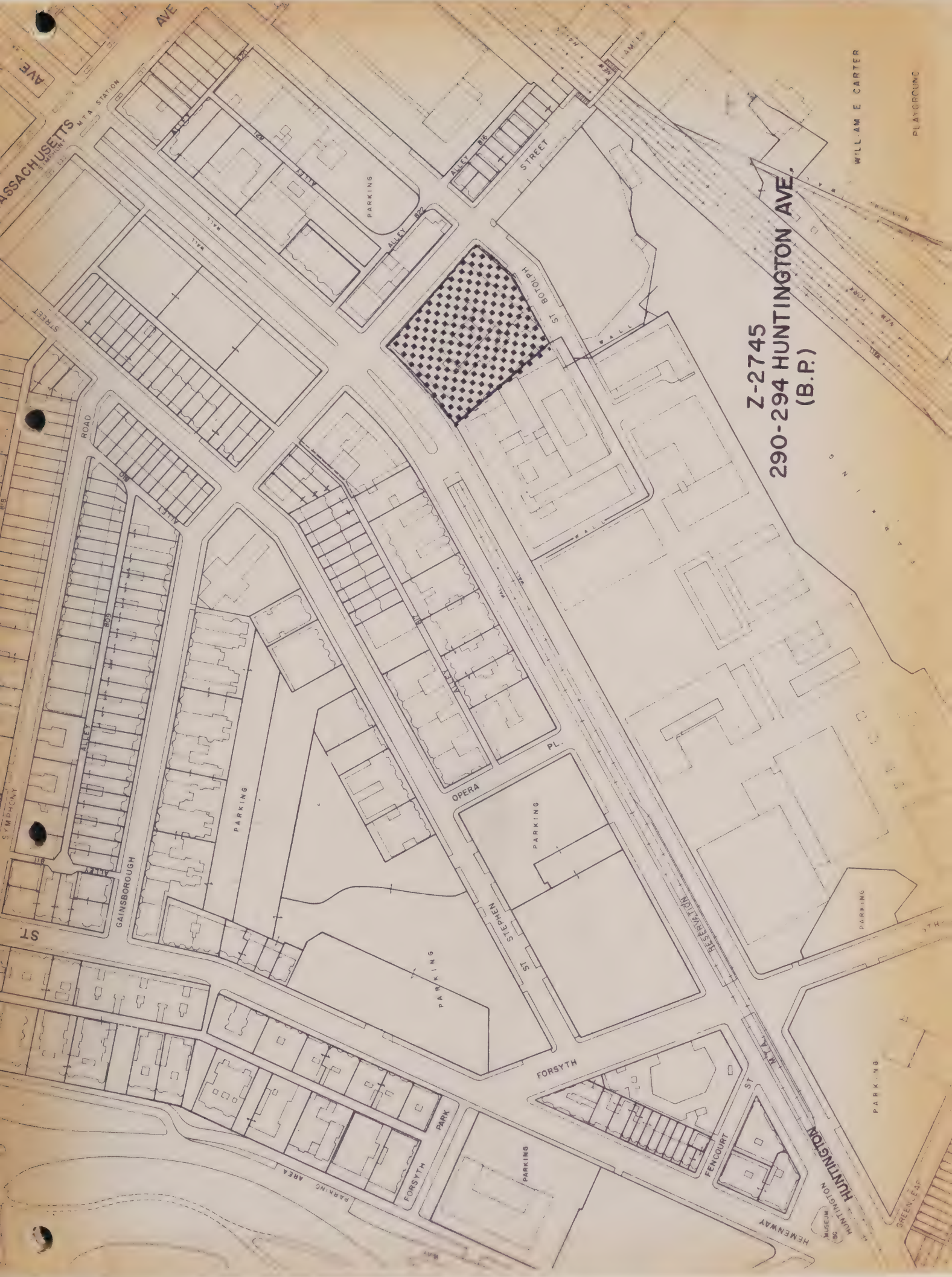
Petitioner seeks a conditional use to convert existing space within a building in an apartment (H-3) district. The proposal violates the code as follows:

Section 8-6. A change in a conditional use requires a Board of Appeal hearing.

The property, located at the intersection of Huntington Avenue and St. Botolph Street, contains a three story masonry structure. Essentially, it is proposed to relocate the existing faculty lounge and install an audio visual center. Allowable floor area ratio will not be exceeded nor the number of students increased. Recommend approval.

VOTED: That in connection with Petition No. Z-2745, brought by the New England Conservatory of Music, 290-294 Huntington Avenue, in the Fenway Urban Renewal area, for a conditional use to convert existing space within a building in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval. Conversion will not exceed allowable floor area ratio.





Z-2745  
290-294 HUNTINGTON AVE.  
(B.P.)



Board of Appeal Referrals 4/19/73

Hearing Date: 5/1/73

Petitions No. Z-2746-2748  
Boston Redevelopment Authority  
Concord Realty Trust, George M. Dallas  
Trustee (Designated Developer)  
151-153-155 Worcester Street  
Boston

Petitioner seeks a conditional use and two variances to combine buildings, change occupancy from lodging house to 17 apartments and utilize vacant land for tenant recreational and sitting area in an apartment (H-3) district and local business (L-2) district. The proposal violates the code as follows:

<u>151 Worcester Street (H-3)</u>	<u>Req'd</u>	<u>Proposed</u>
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Section 8-7. An ancillary use is conditional in an H-3 district.

<u>153 &amp; 155 Worcester Street (L-2)</u>
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Section 15-1. Floor area ratio is excessive.	2.0	2.3
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The properties, located on Worcester Street near the intersection of Columbus Avenue in the South End Urban Renewal Area, contain two four story vacant masonry structures which would be rehabilitated and converted for low and moderate income occupancy. Petitioner has mortgage commitment with MHFA. Floor area violation is existing and minimal. Proposal is in accord with the urban renewal area.  
Recommend approval.

VOTED: That in connection with Petitions Nos. Z-2746-2748, brought by Boston Redevelopment Authority and Concord Realty Trust, (Developer), 151-153-155 Worcester Street in the South End Urban Renewal Area, for a conditional use and two variances to combine buildings, change occupancy from lodging house to 17 apartments and utilize vacant land for tenant recreational and sitting area in an apartment (H-3) and local business (L-2) district, the Boston Redevelopment Authority recommends approval. Floor area ratio violation is existing and minimal. Proposal is in accord with the urban renewal plan.





Z-2746-48  
151-155 WORCESTER ST.  
(B.P.)



Board of Appeal Referrals 4/19/73

Hearing Date: 5/1/73

Petition No. Z-2749

St. Margaret's Hospital, Inc.

70-90 Cushing Avenue, Dorchester

Petitioner seeks an extension of a non conforming use and six variances to combine lots and erect a five-story addition to a hospital in a residential (R-.8) district. The proposal violates the Code as follows:

	<u>Req'd</u>	<u>Prop</u>
Section 9-1. An extension of a non conforming use requires a Board of Appeal hearing.		
Section 14-2. Lot area for additional unit is insufficient	1500sf/u	1244sf/u
Section 15-1. Floor area ratio is excessive.	0.8	1.7
Section 16-1. Height of building is excessive.	3 stories	5 stories
	35 feet	68 feet
Section 19-6. Side yard is insufficient.	25 feet	7 feet
Section 20-1. Rear yard is insufficient.	40 feet	9 feet
Section 23-1. Off street parking is insufficient	76 spaces	0

The property, located on Windemere Road near the intersection of Cushing Avenue, contains a hospital complex. Proposed extension would be constructed on an existing parking lot accommodating 50 cars. None of the 76 spaces required by the proposal would be provided. Surrounding narrow streets are critically congested with legal and illegal curb parking which hinders safe vehicular movement. Petitioner must endeavor to alleviate these acute street conditions and provide adequate off street facilities before expansion can be considered. Recommend denial.

VOTED: That in connection with Petition No. Z-2749, brought by St. Margaret's Hospital, Inc., 70-90 Cushing Avenue, Dorchester, for an extension of a non-conforming use and six variances to combine lots and erect a five story addition to a hospital in a residential (R-.8) district, the Boston Re-development Authority recommends denial. Proposed extension would be constructed on an existing parking lot accommodating 50 cars. None of 76 spaces required by the proposal would be provided. Surrounding narrow streets are critically congested with legal and illegal curb parking which hinders safe vehicular movement. Petitioner must endeavor to alleviate these acute street conditions and provide adequate off-street parking facilities before expansion can be considered.





Z-2749

70-90 CUSHING AVE.  
(DOR.)



Board of Appeal Referrals 4/19/73

Hearing Date: 5/22/73

Petition No. Z-2750

James J. Loftus

47 Business Street, Hyde Park

Petitioner seeks two forbidden uses to erect a one story storage and manufacturing structure in a residential (R-.5) district. The proposal violates the code as follows:

Section 8-7. A warehouse is forbidden in an R-.5 district.

Section 8-7. Manufacturing of fences is forbidden in an R-.5 district.

The property, located on Business Street near the intersection of Barry Street, contains 6,387 square feet of land. It is proposed to store frames, piping and metal used in fencing, also manufacture, and assemble materials for fencing. This industrial proposal is incompatible with the immediate residential neighborhood and the abutting local business area. The use would generate additional commercial traffic on the narrow, curving street. Recommend denial.

VOTED: That in connection with Petition No. Z-2750, brought by James J. Loftus, 47 Business Street, Hyde Park, for two forbidden uses to erect a storage and manufacturing structure in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. This industrial proposal is incompatible with the immediate residential neighborhood and the abutting local business area. The use would generate additional commercial traffic on the narrow curving street.





Z-2750  
47 BUSINESS ST.  
(H.P.)



Board of Appeal Referrals 4/19/73

Hearing Date: 5/8/73

Petition No. Z-2751  
Ronald J. Sullivan  
81-83 Waverly Street  
Brighton

Petitioner seeks a forbidden use and a variance to legalize the occupancy of an existing three family dwelling in a residential (R-.8) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7.	A dwelling converted for more families which does not meet the requirements for lot area is forbidden in an R-.8 district.	
Section 14-2.	Lot area for additional dwelling unit is insufficient. 3000 sf/du	478 sf/du

The property, located on Waverly Street near the intersection of Western Avenue, contains a 2½ story frame structure. The illegal basement unit is an unwarranted use of structure and severely deficient of necessary light and air. Recommend denial.

VOTED: That in connection with Petition No. Z-2751, brought by Ronald J. Sullivan, 81-83 Waverly Street, Brighton, for a forbidden use and a variance to legalize the occupancy of an existing three family dwelling in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial. The illegal basement unit is an unwarranted use of structure and severely deficient of necessary light and air.



Z-2751  
81-83 WAVERLY ST.  
(BRI.)





Board of Appeal Referrals 4/19/73

Hearing Date: 5/1/73

Petition No. Z-2761  
Victor Belmonte  
81 Lexington Street  
East Boston

Petitioner seeks a conditional use and a variance for a change of occupancy from one apartment and four lodgers to three apartments in a local business (L-1) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families which meets at least one half the requirements for open space is conditional in an L-1 district.		
Section 17-1. Open space is insufficient.	400 sf/du	298 sf/du

The property, located on Lexington Street near the intersection of Marion Street, contains a 2½ story fire damaged frame structure, which would be extensively rehabilitated. Proposed occupancy is consistent with surrounding residential neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-2761, brought by Victor Belmonte, 81 Lexington Street, East Boston, for a conditional use and a variance for a change of occupancy from one apartment and four lodgers to three apartments in a local business (L-1) district, the Boston Redevelopment Authority recommends approval. Proposed occupancy is consistent with surrounding residential neighborhood.





Z-2761  
81 LEXINGTON ST  
(E. B.)



Board of Appeal Referrals 4/19/73

Hearing Date: 5/8/73

Petitions Nos. Z-2763-2764  
Donald Slade  
19-21 & 25-27 Radnor Road  
Brighton

Petitioner seeks six variances to erect two, 2½ story two unit town house structures in a residential (R-.5) district. The proposal violates the code as follows:

<u>Both Structures:</u>	<u>Req'd</u>	<u>Proposed</u>
Section 14-2. Lot area for additional dwelling unit is insufficient.	3000 sf/du	2,729 sf/du
Section 18-1. Front yard is insufficient.	20 ft.	15 ft.
Section 20-1. Rear yard is insufficient.	40 ft.	28 ft.

The property, located on Radnor Road near the intersection of Foster Street, contains 13,138 square feet of vacant land. The proposal is consistent with the residential nature of the neighborhood. Violations are minimal and will not significantly affect abutting properties. Adequate parking is provided.  
Recommend approval with design review proviso.

VOTED: That in connection with Petitions Nos. Z-2763, 2764, brought by Donald Slade, 19-21 & 25-27 Radnor Road, Brighton, for six variances to erect two, 2½ story two unit town house structures in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review. Proposal is consistent with the residential nature of the neighborhood. Violations are minimal and will not significantly affect abutting properties.



Z-2763-64  
19-25 RADNOR RD.  
(BRI.)



COMMONWEALTH



Board of Appeal Referrals 4/19/73

Hearing Date: 5/1/73

Petition No. Z-2770  
Boston International Investors, Inc.  
Frank L. Viola  
287-295 Hanover Street, Boston

Petitioner seeks a variance for a change of occupancy from lodging house, bank and offices to nine apartments, bank and offices in a local business (L-2) district. The proposal violates the code as follows:

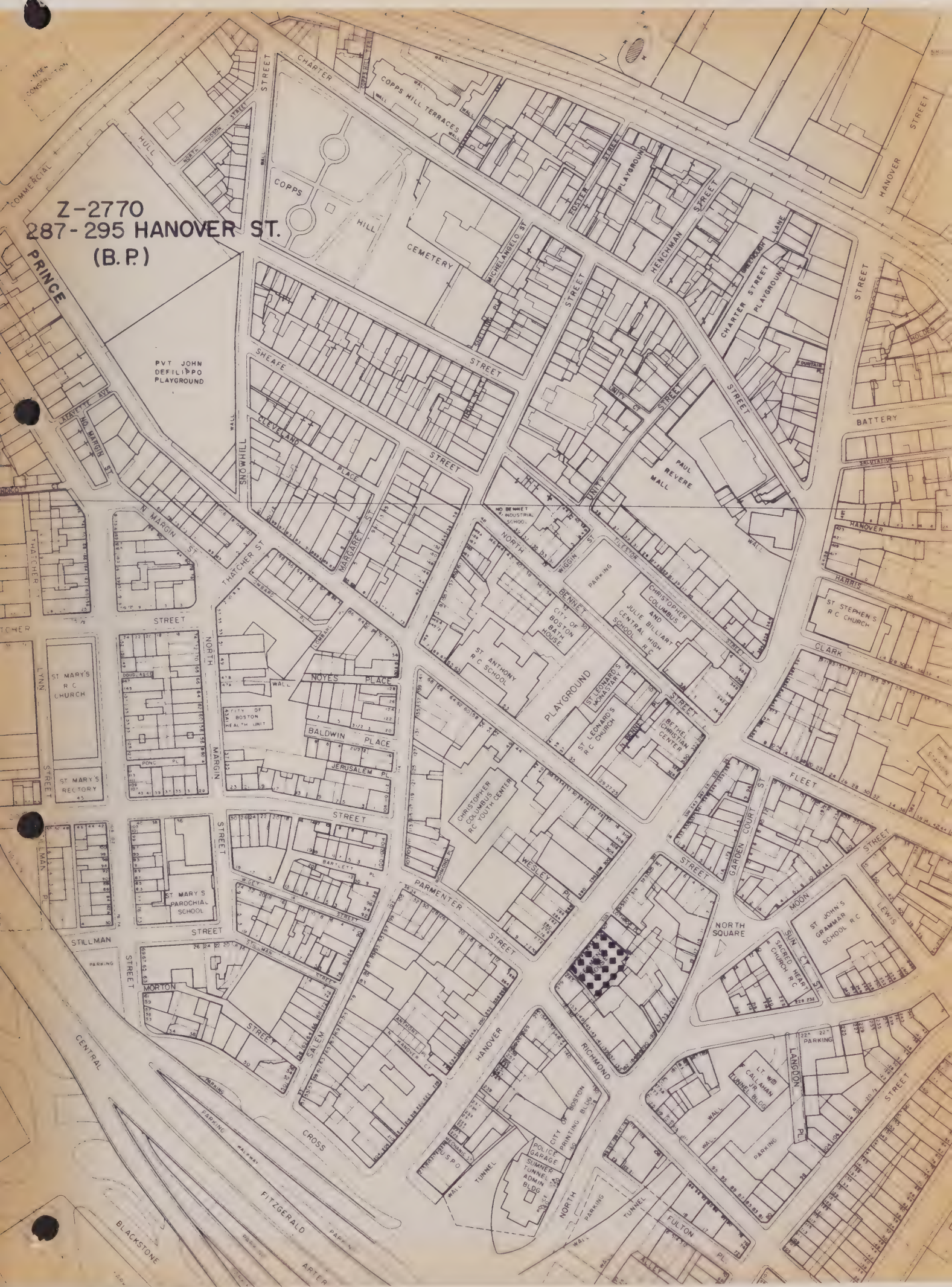
	<u>Req'd</u>	<u>Proposed</u>
Section 17-1. Open space is insufficient.	100 sf/du	0

The property, located on Hanover Street near the intersection of Richmond Street, contains a three story masonry structure. The lodging residence, formerly the "Seamans Home", had accommodations for 56 occupants. Proposed conversion would create nine one bedroom units. Petitioner should make arrangements to provide off-street parking at nearby facilities. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-2770, brought by Boston International Investors, Inc., 287-295 Hanover Street, Boston, for a variance for a change of occupancy from lodging house, bank and offices to nine apartments, bank and offices in a local business (L-2) district, the Boston Redevelopment Authority recommends approval provided that the petitioner makes arrangements for off-street parking at nearby facilities.



Z-2770  
287-295 HANOVER ST.  
(B.P.)





Board of Appeal Referrals 4/19/73

Hearing Date: 4/24/73

Petition No. Z-2771  
James M. Salah  
1525-1531 VFW Parkway  
West Roxbury

Petitioner seeks a conditional use and two variances for a change of occupancy from the sale of cars and trucks to the sale of cars and trucks with accessory repair garage and to erect signs in a general business (B-1) district. The proposal violates the code as follows:

Section 8-7. Outdoor display of new or used vehicles is conditional in a B-1 district.

Section 10-1. Accessory use area is excessive.

Section 112-. Height of sign is excessive.

The property, located on VFW Parkway opposite the intersection of Eastwood Place, contains a one-story masonry structure. Petitioner also proposes the exterior display of new and used cars and trucks. Staff recommends the following provisos: that an opaque fence or similar screening be provided along the front lot line; that the existing highway openings be closed; that the proposed sign be limited to a height of not more than 25 feet; that all auto repair be performed within the building; that all cars to be repaired be stored in the building; that the lot be properly maintained and all repair tools and materials be stored in the building. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-2771, brought by James M. Salah, 1525-1531 VFW Parkway, West Roxbury, for a conditional use and two variances for a change of occupancy from the sale of cars and trucks to the sale of cars and trucks with accessory repair garage and to erect signs in a general business (B-1) district, the Boston Redevelopment Authority recommends approval with the following conditions: that an opaque fence or similar screening be provided along the front lot line; that the existing highway openings be closed; that the proposed sign be limited to a height of not more than 25 feet; that all auto repair be performed within the building; that all cars to be repaired be stored in the building; that the lot be properly maintained and all repair tools and materials be stored in the building.







Board of Appeal Referrals 4/19/73

Hearing Date: 4/24/73

Petition No. Z-2772  
William Merola  
99-123 Fairmount Avenue  
Hyde Park

Petitioner seeks a forbidden use and six variances to erect a 2½ story 16 unit garden apartment structure in a residential (R-.5) district. The proposal violates the code as follows:

		<u>Req'd</u>	<u>Proposed</u>
Section 8-7.	A multi family dwelling is forbidden in an R-.5 district.		
Section 14-1.	Lot area is insufficient.	2 acres	29,700 sf
Section 15-1.	Floor area ratio is excessive.	0.5	0.6
Section 16-1.	Height of building is excessive.	2 stories	2½ stories
Section 17-1.	Open space is insufficient.	1000 sf/du	994 sf/du
Section 18-1.	Front yard is insufficient.	25 ft.	12 ft.
Section 20-1.	Rear yard is insufficient.	40 ft.	15 ft.

Property, located on Fairmount Avenue near the intersection of Maple Street, contains 29,700 square feet of vacant land. Proposal is an MHFA financed development. The site is proximate to the Cleary Square shopping area. Sufficient off-street parking is provided. Violations will not adversely affect abutting local business properties. Recommend approval with design review proviso.

VOTED: That in connection with Petition No. Z-2772, brought by William Merola, 99-123 Fairmount Avenue, Hyde Park, for a forbidden use and six variances to erect a 2½ story 16 unit garden apartment structure in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval provided all plans are submitted to the Authority for design review. The proposal is an MHFA financed development. The site is proximate to the Cleary Square shopping area. Violations will not adversely affect abutting local business properties.





Z-2772  
99-123 FAIRMOUNT AVE.  
(H.P.)



